

## REMARKS

At the outset, Applicant wishes to thank the Examiner for the courtesies extended during the July 19, 2007 telephone interview. At that interview, possible amendments to put the claims in allowable form were discussed.

Claims 11-22 are pending in this application. By this amendment, claim 1 has been amended to recite that the reaction product is dried prior to contacting with component E). Claims 12-14, and 17-18 have been amended to put them in better form. No new matter has been introduced by this Amendment.

### Claim Rejections

#### Rejections under 35 USC §102

- A. Response to rejection of claims 11-22 under 35 U.S.C. §102(b) as being anticipated by Kratzer et al.

In response to the rejection of claims 11-22 under 35 U.S.C. §102(b) as being anticipated by International Publication Number WO 01/47635 of Kratzer et al. ("Kratzer"), Applicant respectfully submits that the reference does not teach all the elements of the currently recited claims.

For a reference to anticipate an invention, all of the elements of that invention must be present in the reference. The test for anticipation under section 102 is whether each and every element as set forth in the claims is found, either expressly or inherently, in a single prior art reference. *Verdegaal Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must also be arranged as required by the claim. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Examiner has cited Kratzer's examples 1, 4, 7 and 10 as allegedly anticipating the instant claims. However, example 7 clearly indicates that the support prepared in example 4 is added to a solution of dimethylsilanediylbis(2-methyl-4-phenylindenyl)dimethylzirconium in toluene. Trimethylaluminum is then added to the suspension. Therefore, the reference clearly

does not teach drying the reaction product to form a catalyst solid. Reconsideration and withdrawal of the rejection is respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have questions or comments regarding this application or this Amendment, Applicant's attorney would welcome the opportunity to discuss the case with the Examiner.

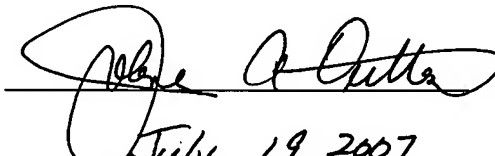
The Commissioner is hereby authorized to charge U.S. PTO Deposit Account 08-2336 in the amount of any fee required for consideration of this Amendment.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2007.

  
July 19 2007  
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